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Attorneys for Plaintiff
ANNMARIE GARCIA
Individually and on Behalf of
All Others Similarly Situated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANNMARIE GARCIA, on behalf of herself)
and all persons similarly situated;)

Plaintiff,)

vs.)

SOUTHWESTERN & PACIFIC)
SPECIALTY FINANCE, INC. dba CHECK)
'N GO, and Does 1 through 100, inclusive,)

Defendants.)

Case No.: 3:13-cv-02215-SBA

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING BRIEFING SCHEDULE ON
MOTION TO COMPEL ARBITRATION
AND STAY PROCEEDINGS**

1 Plaintiff Annmarie Garcia (“Plaintiff”) and Defendant Southwestern & Pacific Specialty
2 Finance, Inc. (“Defendant”), through their respective counsel of record, stipulate as follows:

3 WHEREAS on or about May 20, 2013, Defendant moved for a determination as to
4 whether the instant action (the “*Garcia* Action”) should be considered “related” to *Bernal v.*
5 *Southwestern & Pacific Specialty Finance, Inc.*, Case No. 12-cv-05797-SBA (the “*Bernal*
6 *Action*”) and *Graves v. Southwestern & Pacific Specialty Finance, Inc.*, Case No. 13-cv-1159-
7 SBA (the “*Graves* Action”) within the meaning of Civil Local Rule 3-12.

8 WHEREAS on or about May 24, 2013, Plaintiff filed a Notice of Consent to Related Case
9 Status in the *Bernal* Action.

10 WHEREAS on or about June 19, 2013, the *Garcia* Action was adjudged to be related to
11 the *Bernal* and *Graves* Actions and was reassigned to the Honorable Sandra Brown Armstrong.

12 WHEREAS on May 15, 2013, Defendant removed the *Garcia* Action from San Francisco
13 Superior Court to the United States District Court for the Northern District of California, and,
14 thereafter, on or about May 21, 2013, Defendant filed a Motion to Compel Arbitration and Stay
15 Proceedings (“Motion to Compel Arbitration”).

16 WHEREAS on or about June 25, 2013, pursuant to Civil Local Rule 3-12(g), Defendant
17 re-filed and re-noticed the Motion to Compel Arbitration in light of the reassignment of the
18 *Garcia* Action to Judge Armstrong. A hearing on the Motion to Compel Arbitration is set for
19 August 20, 2013 at 1:00 p.m.

20 WHEREAS Plaintiff has requested, and Defendant is willing to stipulate to, a briefing
21 schedule on the Motion to Compel Arbitration such that Plaintiff’s Opposition would be due by
22 July 23, 2013 and Defendant’s Reply would be due by August 6, 2013.

23 NOW, THEREFORE, Plaintiff and Defendant, through their respective counsel of record,
24 hereby stipulate that Plaintiff’s Opposition to the Motion to Compel Arbitration will be filed on
25 the Court’s ECF system by July 23, 2013, and Defendant’s Reply will be filed on the Court’s
26 ECF system by August 6, 2013.

27 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
28

1
2 DATED: July 3, 2013

/s/ Arthur D. Levy

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9 Attorneys for Plaintiff
10 ANNMARIE GARCIA
Individually and on Behalf of
11 All Others Similarly Situated

12 DATED: July ___, 2013


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16 Attorneys for Defendant
17 Southwestern & Pacific Specialty Finance, Inc.

18 Having read the Parties' stipulation, and good cause appearing therefore, the Court hereby
19 orders that Plaintiff's Opposition to the Motion to Compel Arbitration and Stay Proceedings shall
20 be filed on the Court's ECF system by July 23, 2013. Defendants' Reply shall be filed on the
21 Court's ECF system by August 6, 2013.

22 IT IS SO ORDERED.

23
24 Dated: July 5, 2013


25 Hon. Sandra Brown Armstrong
United States District Court Judge

26
27 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures,*
28 *Arthur Levy hereby attests that concurrence in the filing of this document has been obtained.*